

REMARKS

The Office Action mailed 27 July 2004 has been received and considered. The claims of the application have been amended to place them in condition for allowance.

OBJECTION TO THE DRAWINGS:

The drawings stand objected to as failing to comply with 37 CFR 1.84(p)(5) in view of the alleged absence of certain reference numbers in the drawings.

Concerning reference character (13) as applied to the safety valve, applicant respectfully directs the Examiner's attention to Fig. 3A and Fig. 3B of the application where the safety valve 13 is clearly identified.

The Examiner has indicated that Fig. 1A includes a reference number (7) which is not mentioned in the text of the specification. With all due respect to the Examiner, applicant has thoroughly reviewed Fig. 1A and has not been able to identify a reference number (7) being associated with that drawing figure. In order to resolve this issue Applicant respectfully requests the Examiner to provide the applicant with a copy of Fig. 1A with the reference number (7) being identified therein whereby the applicant can address this issue by amendment.

The Examiner further indicates that reference number (29) in Fig. 11 is not mentioned in the specification. Responsive to this concern, applicant has amended paragraph [0028] to contain a reference to the reference number (29). In view of this amendment applicant respectfully submits that this objection should now be resolved.

In view of the above amendments and remarks applicant respectfully submits that the objections of the Examiner should now be obviated without the need for the submission of substitute drawings. The applicant offers to provide such drawings should the amendments and comments indicated above not be found to completely overcome the objections.

OBJECTIONS TO THE SPECIFICATION:

Responsive to the concerns of the Examiner, applicant has amended the specification to provide for a "Summary of the Invention" and a "Brief Description of the Several Views of the Invention."

With reference to the reference to a "lug 14", applicant has amended the specification to clarify that the reference number (14) refers to the receptacle and not a lug.

The reference to Figs. 3.1; 5.1 and 6.1 has been corrected by amendment to thereby clearly identify the appropriate drawing figures.

In view of these amendments, the objections to the specification should now be overcome. Withdrawal of the objections is therefore requested.

OBJECTIONS TO THE CLAIMS:

Claim 4 has been objected to in view of the lack of antecedent basis. Applicant has amended the claim to correct absence of an antecedent basis. Withdrawal of the objection is requested in view of the amendment.

REJECTION UNDER 35 USC 112:

Claim 4 stands rejected under 35 USC 112 as allegedly being indefinite. Applicant has amended Claim 4 to remove the basis of the rejection. Withdrawal of the rejection is requested.

REJECTION UNDER 35 USC 103:

Claims 1-5 and 7-14 stand rejected as being allegedly obvious under 35 USC 103 over Bowen in view of Levendusky and Bender. In paragraph 10 of his Action, the Examiner

indicated that Claim 6 would be allowable provided that it were rewritten in independent form to include all of the limitations of its base claim. Responsive to the indications of the Examiner, applicant has amended Claim 1 (the base claim of claim 6) to include all of the limitations of claim 6. It follows that claim 1 as amended, is in fact, claim 6 rewritten in independent form to include all of the limitations of its base claim (claim 1). In view of this amendment, claim 1 as amended should now be in condition for allowance.

Claims 2-5 and 7-9 all depend, either directly or indirectly, from claim 1 as amended. Applicant respectfully submits that each of these claims should now be allowable in view of in their dependency from an allowable claim and further in view of the additional limitations set forth in each claim.

With reference to claims 10-14, applicant respectfully traverses the rejection. In applicant's view none of the cited references discloses a method for preparing liquid which includes the method step of placing a mixture of water and a selected substance, such as coffee powder, into a boiling receptacle as presently recited in claim 10.

The Bender reference discloses a drip brew maker having a reservoir for hot water, a coffee server and a coffee basket into which the coffee powder is placed (see col. 2, lines 49-51; col. 3, lines 14-15.).

The Bowen reference discloses a coffee maker having an upper container or reservoir which provides a pressure chamber for water and a middle section or collar that houses the coffee grounds (see col. 3, lines 23-26 and 28-29).

The Levendusky reference neither discloses a coffee maker nor an object similar thereto.

In the instant method the placement of the mixture of water with a substance, e.g. coffee powder, into the boiling receptacle is made with the boiling receptacle positioned with its first opening oriented upward. In this position the microwaves from the microwave oven will actuate

over the water and coffee powder simultaneously. The hot mixture will pass through the filter when the appliance is removed from the oven and rotated 180 degrees, thereby inverting its orientation.

In contrast to the claimed method, the references relied on by the Examiner disclose methods wherein the microwave actuates only over the water making it boil. After the water achieves the appropriate temperature, it is then passed through the powder reservoir, e.g. through the coffee powder. As noted in applicant's specification at page 9, paragraph [0031], lines 3-4, coffee or other similar drink obtained by the claimed method will have an excellent and improved taste in view of the coffee powder and the water having been boiled together under pressure. Additional advantages of the claimed method are further indicated at page 9, paragraph [0034], namely the ability to make tea using loose herbs, leaves or even sachets.

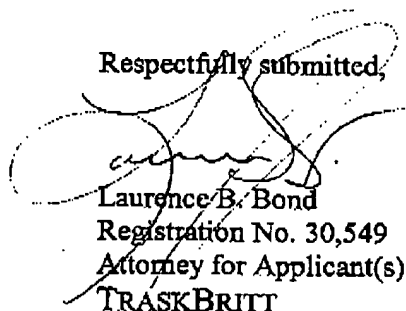
In addition to these considerations, applicant also submits that none of the references relied upon by the Examiner disclose the claimed method step which requires that the appliance being utilized to make a hot beverage is rotated through 180 degrees in order to pass the hot mixture through a filter.

In view of the above considerations, applicant respectfully submits that claims 1-5 and 7-14 of the application are presently in condition for allowance. Withdrawal of the rejection of the aforesaid claims is respectfully requested.

CONCLUSION:

In view of the amendments to the pending claims and the comments indicated above, applicant submits that the pending claims are now in condition for allowance. Reconsideration of the application is respectfully requested.

Respectfully submitted,



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